

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01728-EGS**

PROPERTY OF THE PEOPLE, INC. et al v. DEPARTMENT OF JUSTICE

Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Freedom of Information Act

Date Filed: 08/24/2017

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

PROPERTY OF THE PEOPLE, INC.

represented by **Jeffrey Louis Light**
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ATTORNEY TO BE NOTICED

Plaintiff

RYAN NOAH SHAPIRO

represented by **Jeffrey Louis Light**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Fred Elmore Haynes**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/24/2017	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5088739) filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Summons, # <u>2</u> Civil Cover Sheet)(Light, Jeffrey) (Entered: 08/24/2017)
08/24/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PROPERTY OF THE PEOPLE, INC. (Light, Jeffrey) (Entered: 08/24/2017)
08/25/2017		Case Assigned to Judge Emmet G. Sullivan. (zsb) (Entered: 08/25/2017)
08/25/2017	<u>3</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 08/25/2017)
08/25/2017	<u>4</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 08/25/17. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 08/25/2017)

08/25/2017	<u>5</u>	AMENDED COMPLAINT against DEPARTMENT OF JUSTICE filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO.(Light, Jeffrey) (Entered: 08/25/2017)
09/28/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 9/6/2017, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 09/06/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/6/2017. (Answer due for ALL FEDERAL DEFENDANTS by 10/6/2017.) (Light, Jeffrey) (Entered: 09/28/2017)
10/05/2017	<u>7</u>	Consent MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 10/05/2017)
10/06/2017		MINUTE ORDER granting <u>7</u> consent motion for extension of time to file answer to amended complaint. It is therefore ordered that defendant shall file its answer or other response by October 11, 2017. Signed by Judge Emmet G. Sullivan on 10/6/2017. (lcegs3) (Entered: 10/06/2017)
10/06/2017		Set/Reset Deadlines/Hearings: Answer or other response to amended complaint due by 10/11/2017. (zcdw) (Entered: 10/07/2017)
10/11/2017	<u>8</u>	ANSWER to <u>5</u> Amended Complaint by DEPARTMENT OF JUSTICE. Related document: <u>5</u> Amended Complaint filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO.(Haynes, Fred) (Entered: 10/11/2017)
12/05/2017		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than January 5, 2018. The parties' joint proposed scheduling order shall address the following: (1) The status of plaintiff's FOIA request; (2) The anticipated number of documents responsive to plaintiff's FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on 12/5/2017. (lcegs3) (Entered: 12/05/2017)
12/05/2017		Set/Reset Deadlines: Joint Scheduling Order due by 1/5/2018. (mac) (Entered: 12/05/2017)
01/05/2018	<u>9</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Haynes, Fred) (Entered: 01/05/2018)
01/09/2018		MINUTE ORDER in view of <u>9</u> joint status report, it is hereby ordered that the parties shall adhere to the following schedule: defendant shall process and release, to the extent appropriate under FOIA, all requested records by January 31, 2018; defendant shall complete its records search and release any appropriate additional records by March 30, 2018; defendant's summary judgment motion shall be filed by April 30, 2018; plaintiffs' opposition and cross-motion for summary judgment shall be filed by May 31, 2018; defendant's reply memorandum in support of its motion and opposition memorandum shall be filed by June 29, 2018; plaintiffs' reply memorandum in support of its cross-motion shall be filed by July 16, 2018. Signed by Judge Emmet G. Sullivan on 1/9/2018. (lcegs3) (Entered: 01/09/2018)
01/09/2018		Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 4/30/2018. Plaintiffs' Opposition And Cross-Motion for Summary Judgment due by 5/31/2018. Defendant's Reply Memorandum In Support Of Its Motion And Opposition Memorandum due by 6/29/2018. Plaintiffs' Reply Memorandum In Support OF Its Cross-Motion due by 7/16/2018. (mac) (Entered: 01/09/2018)
04/30/2018	<u>10</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 04/30/2018)

05/02/2018		MINUTE ORDER granting <u>10</u> defendant's consent motion for an extension of time to file its motion for summary judgment. It is therefore ordered that the parties shall adhere to the following revised schedule: defendants summary judgment motion shall be filed by May 7, 2018; plaintiffs opposition to that motion and plaintiffs cross-motion for summary judgment shall be filed by June 7, 2018; defendants reply memorandum in support of its motion and opposition to plaintiffs cross-motion for summary judgment shall be filed by July 6, 2018; and plaintiffs reply memorandum in support of its cross-motion for summary judgment shall be filed by July 23, 2018. Signed by Judge Emmet G. Sullivan on 5/2/2018. (lcegs3) (Entered: 05/02/2018)
05/02/2018		Set/Reset Deadlines: Defendants Summary Judgment Motion due by 5/7/2018. Plaintiff Opposition To Summary Judgment Motion And Plaintiffs Cross-Motion For Summary Judgment due by 6/7/2018. Defendants Reply Memorandum In Support Of Its Motion And Opposition To Plaintiffs Cross-Motion For Summary Judgment due by 7/6/2018. Plaintiffs Reply Memorandum in Support Of Its Cross-Motion For Summary Judgment due by 7/23/2018. (mac) (Entered: 05/02/2018)
05/07/2018	<u>11</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 05/07/2018)
05/14/2018	<u>12</u>	Consent MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 05/14/2018)
05/16/2018		MINUTE ORDER granting <u>12</u> defendant's consent motion for a further extension of time to file its motion for summary judgment. The defendant shall therefore file its summary judgment motion by May 16, 2018; plaintiffs opposition to that motion and plaintiffs cross-motion for summary judgment shall be filed by June 18, 2018; defendants reply in support of its motion and in opposition to plaintiffs cross-motion for summary judgment shall be filed by July 16, 2018; and plaintiffs reply in support of its cross-motion for summary judgment shall be filed by August 1, 2018. Signed by Judge Emmet G. Sullivan on 5/16/2018. (lcegs3) (Entered: 05/16/2018)
05/16/2018		Set/Reset Deadlines: Defendant Summary Judgment Motion due by 5/16/2018. Plaintiff Opposition To Defendant's Summary Judgment And Plaintiffs' Cross-Motion For Summary Judgment due by 6/18/2018. Defendants Reply In Support Of Its Motion And In Opposition To Plaintiffs Cross-Motion For Summary Judgment due by 7/16/2018. Plaintiffs Reply In Support Of Its Cross-Motion For Summary Judgment due by 8/1/2018. (mac) (Entered: 05/16/2018)
05/16/2018	<u>13</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 05/16/2018)
05/21/2018	<u>14</u>	Consent MOTION for Extension of Time to File <i>Defendant's Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 05/21/2018)
05/22/2018		MINUTE ORDER granting <u>14</u> defendant's consent motion for extension of time to file defendant's motion for summary judgment. The government shall therefore file its motion for summary judgment by May 22, 2018; plaintiff shall file its opposition to that motion and its cross-motion for summary judgment by no later than June 26, 2018; defendant's reply memorandum and opposition shall be filed by July 24, 2018; and plaintiff's reply memorandum shall be filed by August 7, 2018. Signed by Judge Emmet G. Sullivan on 5/22/2018. (lcegs3) (Entered: 05/22/2018)
05/22/2018	<u>15</u>	WITHDRAWN PURSUANT TO ENTRY <u>15</u>MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit A – Hardy Declaration)(Haynes, Fred) Modified on 9/10/2018 (zjf). (Entered: 05/22/2018)
05/23/2018		Set/Reset Deadlines: Plaintiffs' opposition to Defendant's Motion for Summary Judgment and Cross-Motion due by 6/26/2018. Defendant's reply in support of its Motion for Summary Judgment and opposition to Plaintiffs' Cross-Motion due by 7/24/2018. Plaintiffs' reply in support of its Cross-Motion due by 8/7/2018. (hmc) (Entered: 05/23/2018)
06/26/2018	<u>16</u>	Cross MOTION for Summary Judgment by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/26/2018)

06/26/2018	<u>17</u>	Memorandum in opposition to re <u>15</u> MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 06/26/2018)
07/21/2018	<u>18</u>	Consent MOTION for Extension of Time to File <i>Defendant's Oppositon to Plaintiff's Cross-Motion for Summary Judgment and Its Reply Memorandum in Support of Its Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 07/21/2018)
07/24/2018		MINUTE ORDER granting <u>18</u> defendant's consent motion for an extension to file to file opposition. The defendant shall therefore file its memorandum in opposition to plaintiff's cross-motion for summary judgment and reply memorandum in support of its motion for summary judgment by no later than September 6, 2018. Plaintiff's reply memorandum shall be filed by September 27, 2018. Signed by Judge Emmet G. Sullivan on 7/24/2018. (lcegs3) (Entered: 07/24/2018)
07/24/2018		Set/Reset Deadlines: Defendant Memorandum In Opposition To Plaintiff's Cross-Motion For Summary Judgment And Reply Memorandum In Support Of Its Motion For Summary Judgment due by 9/6/2018. Plaintiff's Reply Memorandum due by 9/27/2018. (mac) (Entered: 07/24/2018)
09/06/2018	<u>19</u>	WITHDRAWAL of Motion by DEPARTMENT OF JUSTICE re <u>15</u> MOTION for Summary Judgment filed by DEPARTMENT OF JUSTICE . (Haynes, Fred) (Entered: 09/06/2018)
09/10/2018		MINUTE ORDER in view of <u>19</u> notice of withdrawal of motion for summary judgment, the parties' motions for summary judgment are hereby withdrawn. The defendant is directed to submit a status report by no later than October 9, 2018 advising the Court as to its search efforts and proposing a schedule for further proceedings. Signed by Judge Emmet G. Sullivan on 9/10/2018. (lcegs3) (Entered: 09/10/2018)
10/09/2018	<u>20</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Haynes, Fred) (Entered: 10/09/2018)
10/11/2018		MINUTE ORDER in view of <u>20</u> joint status report, the parties shall adhere to the following summary judgment briefing schedule: defendant's summary judgment motion shall be filed by November 26, 2018; plaintiff's opposition to that motion and plaintiff's cross-motion for summary judgment shall be filed by December 17, 2018; defendant's reply memorandum in support of its motion and opposition to plaintiff's cross-motion for summary judgment shall be filed by January 18, 2019; and plaintiff's reply memorandum in support of its cross-motion for summary judgment shall be filed by February 4, 2019. Signed by Judge Emmet G. Sullivan on 10/11/2018. (lcegs3) (Entered: 10/11/2018)
10/12/2018		Set/Reset Deadlines: Defendant's Summary Judgment Motion due by 11/26/2018. Plaintiff's Opposition To Motion And Plaintiff's Cross-Motion For Summary Judgment due by 12/17/2018. Defendant's Reply Memorandum In Support Of Its Motion And Opposition To Plaintiff's Cross-Motion For Summary Judgment due by 1/18/2019. Plaintiff's Reply Memorandum In Support Of Its Cross-Motion For Summary Judgment due by 2/4/2019. (mac) (Entered: 10/12/2018)
11/26/2018	<u>21</u>	Consent MOTION for Extension of Time to File <i>Defendant's Renewed Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 11/26/2018)
11/28/2018		MINUTE ORDER granting <u>21</u> defendant's consent motion for extension of time. The defendant's renewed summary judgment motion shall therefore be filed by December 3, 2018. The plaintiff's opposition to that motion and plaintiff's cross-motion for summary judgment shall be filed by January 3, 2019; defendant's reply memorandum in support of its motion and opposition to plaintiff's cross-motion for summary judgment shall be filed by January 31, 2019; and plaintiff's reply memorandum in support of its cross-motion for summary judgment shall be filed by February 21, 2019. Signed by Judge Emmet G. Sullivan on 11/28/2018. (lcegs3) (Entered: 11/28/2018)

11/29/2018		Set/Reset Deadlines: Defendant's Renewed Summary Judgment Motion due by 12/3/2018. Plaintiff's Opposition And Cross-Motion For Summary Judgment due by 1/3/2019. Defendant's Reply Memorandum In Support Of Motion And Opposition To Plaintiff's Cross-Motion For Summary Judgment due by 1/31/2019. Plaintiff's Reply Memorandum In Support Of Its Cross Motion For Summary Judgment due by 2/21/2019. (mac) (Entered: 11/29/2018)
12/03/2018	<u>22</u>	Consent MOTION for Extension of Time to File <i>Defendant's Renewed Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 12/03/2018)
12/06/2018		MINUTE ORDER granting <u>22</u> defendant's consent motion for extension of time to file defendant's renewed motion for summary judgment. Defendant shall therefore file its renewed motion by no later than December 7, 2018. Signed by Judge Emmet G. Sullivan on 12/6/2018. (lcegs3) (Entered: 12/06/2018)
12/07/2018		Set/Reset Deadlines: Defendant Renewed Motion For Summary Judgment due by 12/7/2018. (mac) (Entered: 12/07/2018)
12/10/2018	<u>23</u>	Consent MOTION for Extension of Time to File <i>Defendant's Renewed Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 12/10/2018)
12/11/2018		MINUTE ORDER granting <u>23</u> defendant's consent motion for extension of time to file its renewed motion for summary judgment. The defendant shall therefore file its renewed motion for summary judgment by no later than December 12, 2018. The Court sua sponte extends the rest of the briefing schedule, in light of the two extensions granted since issuing its scheduling order on November 28, 2018. The plaintiff's opposition and cross-motion for summary judgment shall be filed by January 14, 2019. The defendant's opposition and reply shall be filed by February 14, 2019. The plaintiff's reply shall be filed by March 7, 2019. Signed by Judge Emmet G. Sullivan on 12/11/2018. (lcegs3) (Entered: 12/11/2018)
12/12/2018		Set/Reset Deadlines: Defendant Renewed Motion For Summary Judgment due by 12/12/2018. Plaintiff's Opposition And Cross-Motion For Summary Judgment due by 1/14/2019. Defendant's Opposition And Reply due by 2/14/2019. Plaintiff's Reply due by 3/7/2019. (mac) (Entered: 12/12/2018)
12/13/2018	<u>24</u>	Second MOTION for Summary Judgment by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Exhibit Seidel Declarsation)(Haynes, Fred) (Entered: 12/13/2018)
01/15/2019	<u>25</u>	Memorandum in opposition to re <u>24</u> Second MOTION for Summary Judgment filed by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit 1-14, # <u>4</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 01/15/2019)
01/15/2019	<u>26</u>	Cross MOTION for Summary Judgment by PROPERTY OF THE PEOPLE, INC., RYAN NOAH SHAPIRO (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit 1-14, # <u>4</u> Text of Proposed Order)(Light, Jeffrey) (Entered: 01/15/2019)
02/14/2019	<u>27</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>26</u> Cross MOTION for Summary Judgment <i>and to File a Reply Memorandum in Support of Defendant's Renewed Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 02/14/2019)
02/15/2019		MINUTE ORDER granting <u>27</u> Defendant's Consent Motion for Extension of Time to File Response/Reply as to <u>26</u> Cross Motion for Summary Judgment and to File a Reply Memorandum in Support of Defendant's Renewed Motion for Summary Judgment. The parties are directed to adhere to the following revised schedule:(1) Defendant shall file its reply memorandum in support of its renewed summary judgment motion and its opposition to Plaintiffs' second motion for summary judgment by no later than March 15, 2019; and (2) Plaintiffs shall file their reply memorandum in support of their second motion for summary judgment by no later than April 8, 2019. Signed by Judge Emmet G. Sullivan on 2/15/2019. (lcegs3) (Entered: 02/15/2019)
02/19/2019		Set/Reset Deadlines: Defendant Reply Memorandum In Support Of Its Renewed Summary Judgment Motion And Its Opposition To Plaintiffs' Second Motion For

		Summary Judgment due by 3/15/2019. Plaintiffs Reply Memorandum In Support Of Their Second Motion For Summary Judgment due by 4/8/2019. (mac) (Entered: 02/19/2019)
03/15/2019	<u>28</u>	Consent MOTION for Extension of Time to File <i>Defendant's Opposition to Plaintiff's Second Motion for Summary Judgment and Defendant's Reply Memorandum in Support of Its Second Motion for Summary Judgment</i> by DEPARTMENT OF JUSTICE (Haynes, Fred) (Entered: 03/15/2019)